



# NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY  
WESTERN DISTRICT OF MISSOURI

**TODD P. GRAVES**

---

Contact Don Ledford, Public Affairs • (816) 426-4220 • 400 East Ninth Street, Room 5510 • Kansas City, MO 64106

[www.usdoj.gov/usao/mow](http://www.usdoj.gov/usao/mow)

---

**NOVEMBER 27, 2002**  
**FOR IMMEDIATE RELEASE**

## **GREENE COUNTY MAN PLEADS GUILTY TO KILLING MIGRATORY BIRDS**

**SPRINGFIELD, Mo.** – Todd P. Graves, United States Attorney for the Western District of Missouri, announced today that a Greene County man has pleaded guilty to causing the deaths of 10 migratory birds by illegally using Warbex as a poison.

**Donald E. Smith**, 54, of Greene County, Mo., pleaded guilty on November 26, 2002, before U.S. Magistrate Judge James C. England to a federal information charging him with killing 10 migratory birds.

**Smith** admitted that he killed the following migratory birds: seven red-tailed hawks, one Cooper's hawk, one northern cardinal, and one white-crowned sparrow. Graves explained that the birds' deaths were caused by **Smith's** illegal use of Warbex.

Warbex, an animal drug used to treat grubs on cattle, is sometimes misused as a poison to kill "nuisance birds" such as sparrows or grackles. Although the practice is illegal, Graves said, farmers sometimes mix Warbex with grain or corn and put it out in a field to kill the birds. Unfortunately, those birds are often eaten by hawks, owls and even eagles, which then die as a result of the poison.

Famphur, the animal drug sold commercially by Schering Plough Animal Health Corporation under the trade name of Warbex, was approved by the Food and Drug Administration as a pour-on treatment of cattle for cattle grubs and cattle lice. Any other use, Graves said, is a violation of federal law.

The case was investigated by the Food and Drug Administration and the U.S. Fish and Wildlife Service.

\*\*\*\*\*

This news release, as well as additional information about the office of the United States

Attorney for the Western District of Missouri, is available on-line at  
[www.usdoj.gov/usao/mow](http://www.usdoj.gov/usao/mow)